

APPEAL NO. 020921
FILED MAY 31, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on March 27, 2002. The hearing officer resolved the disputed issues by deciding that the respondent's (claimant) compensable injury of _____, extends to and includes the low back, and that the claimant had disability, as defined by Section 401.011(16), from July 7, 2001, to December 3, 2001. The appellant (carrier) appealed and the claimant responded.

DECISION

The hearing officer's decision is affirmed.

The parties stipulated that the claimant sustained a compensable injury. The claimant had the burden of proof on the disputed issues regarding the extent of the compensable injury and disability. Conflicting evidence was presented at the CCH. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. It is clear that the hearing officer found the claimant's testimony and the reports of the claimant's treating doctor regarding the claimant's lower back injury and disability to be credible. We conclude that the hearing officer's decision is supported by sufficient evidence and that it is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **AMERICAN CASUALTY COMPANY OF READING** and the name and address of its registered agent for service of process is

**C T CORPORATION
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Robert W. Potts
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Gary L. Kilgore
Appeals Judge